

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

UNITED STATES OF AMERICA,
Plaintiff,

vs.

JONATHAN CONCEPCION,
Defendant

Crim. No. 99-315 (DRD)

MOTION REQUESTING CONTINUANCE OF REVOCATION HEARING

TO THE HONORABLE DANIEL DOMINGUEZ,
SENIOR UNITED STATES JUDGE
FOR THE DISTRICT OF PUERTO RICO

COMES NOW, *Mr. Concepcion*, the defendant herein, represented by the Federal Public Defender for the District of Puerto Rico, and before this Honorable Court respectfully states and prays:

1. The revocation hearing as to Mr. Concepción is scheduled for September 18th, 2007 at 4:30 p.m.

2. According to the Motion Requesting An Order to Show Cause and Issuance of a Warrant (hereinafter "Revocation Motion") filed by Probation Officer Benjamin Bonilla, Mr. Concepción has incurred in new criminal conduct for which he was arrested at the state level.

3. Mr. Concepción is facing charges for controlled substances violation and, according to information provided to the undersigned, is awaiting trial which is scheduled for September 27th, 2007. Furthermore, according to P.O. Bonilla, Mr. Concepción is undergoing plea negotiations at the state level and the preliminary agreement provides for Mr. Concepción to plea guilty on the date set for trial, September 27th, 2007.

4. Mr. Concepción acknowledges that this Court can revoke his supervise release based on criminal conduct without a conviction from the state Court. However, Mr. Concepción understands that this Court will be in a better position to assess the violations alleged by Probation Officer Bonilla, if the Local Courts make a final determination as to Mr. Concepción's guilt to the charges he is facing, first.

5. For the aforementioned reasons, the undersigned requests this Honorable Court to continue the revocation hearing until Mr. Gutierrez's state criminal prosecution concludes next week. P.O. Bonilla has stated that he has no objection to this continuance and it is the undersigned's understanding that the Government also has no objection.

WHEREFORE, it is respectfully requested that this Honorable Court reschedules the revocation hearing until Mr. Gutierrez's state criminal prosecution concludes on September 27, 2007.

I HEREBY CERTIFY that on this date, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification to the parties of record.

RESPECTFULLY SUBMITTED.

In San Juan, Puerto Rico, September 18th, 2007.

JOSEPH C. LAWS, JR.
FEDERAL PUBLIC DEFENDER
FOR THE DISTRICT OF PUERTO RICO

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